

EXHIBIT Q

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March 19, 2025

VIA EMAIL

Jennifer Maisel
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Re: *The New York Times Company v. Microsoft Corp. et al.*, Case No. 24-cv-11195-SHS; *Daily News, LP et al v Microsoft Corp. et al.*, Case No. 24-cv-3285-SHS

Counsel:

I write in response to your January 28, 2025 letter in which you seek information regarding logs of user conversation data, in advance of a discussion on this topic with technical experts. We have addressed below your requests for written information based on our investigation to date. For ease of review, questions 1 through 6 are restated below with OpenAI's responses inline. This information is provided on a voluntary basis as part of an informal exchange designed to facilitate efficient discovery procedures. While accurate to the best of our knowledge at this time, it is possible that our further investigation may uncover different or additional information. OpenAI's investigation is ongoing.

With respect to questions 7 through 14 in your letter, which you asked to discuss with technical experts, OpenAI is willing to engage in such a discussion with respect to questions 7, 8, and 10–13. OpenAI is not willing to engage in such a discussion with respect to question 9, which seeks information about OpenAI's business practices and is thus more appropriately addressed in the context of a deposition. None of the information sought in question 9 is necessary for Plaintiffs to understand, sample, and analyze user conversation data. With respect to question 14, as we have explained to you on numerous previous occasions, OpenAI does not have an existing tool or mechanism that can search for "News Plaintiffs' intellectual property," Jan. 28 Ltr. at 4, across the over 60 billion ChatGPT user conversations OpenAI possesses.

Plaintiffs' Question (1): Please be prepared to describe and walk through how the log dataset(s) are stored, including the geographic location(s) of the dataset(s), whether the data is split or sharded (and on what basis), the time period for which data is available, and

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the volume of available data in bytes and number of records. This should also include any data retention policies and/or backup storage related to the log dataset.

OpenAI's Response:

[REDACTED]

[REDACTED]

[REDACTED]

OpenAI has addressed extensively its retention policies with respect to user conversation data, including in its filings at ECF 423 and 425. We will not rehash those details here.

We do not understand the basis for your request for the geographic location in which user conversation data is stored. Such information is not necessary to understand, sample, or analyze user conversation data. Nor is it relevant to this litigation.

Plaintiffs Question (2): [REDACTED]

Please provide sample output logs for non-RAG user sessions using ChatGPT, as well as sample output for the API and custom GPTs as we have previously discussed.

OpenAI's Response:

OpenAI will produce an API sample as requested. OpenAI does not have a way to identify "non-RAG user sessions" in ChatGPT user conversation data, but we have created a non-RAG sample and will produce it.

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Plaintiffs Question (3): [REDACTED]
[REDACTED]
[REDACTED]

OpenAI's Response:

A consolidated description of the fields, subfield, and values is not kept in the ordinary course of business. User conversation data logs are semi-structured and contain hundreds of fields. OpenAI does not have documentation detailing the meaning of all the fields in conversation logs. We are willing to consider questions regarding specific fields. That said, there is no central mechanism for creating and including fields.

Plaintiffs' Question (4): Prior to the expert discussion, to better focus the parties' time and resources, please produce additional documentation about the log files and the data/fields contained in those log files not produced already, including at least: schema related documentation and any files related to analyzing or processing of the logs, definitions of each taxonomy and classifier category, example mappings between user input/system output and taxonomy classifications, conversation flows/decision trees, and rules for applying classifiers in conversations, lists of all possible event types (user/system/error/etc.), and any related event groupings, and event taxonomy documentation/schemas. If such additional documentation has been produced, please identify the production numbers of such materials.

OpenAI's Response:

OpenAI has identified, based on a reasonable investigation, one document it has already produced (OPCO_NEWS_0827050) that addresses this Question. OpenAI is happy to discuss what, exactly, Plaintiffs are hoping to accomplish with the documentation sought to see if there is a way to provide additional information or documentation.

Plaintiffs Question (5): Please provide a full list of the referenced domains associated with Plaintiffs, and classifications of those domains ([REDACTED])
[REDACTED]
[REDACTED], the difference between

these lists, and the effect of including a domain on these lists.

OpenAI's Response:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

March 19, 2025
Page 3

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[REDACTED]

Plaintiffs Question (6): Please provide technical documentation about classifiers [REDACTED]

[REDACTED]

OpenAI's Response:

OpenAI has not identified, based on a reasonable investigation, documentation of the sort Plaintiffs are requesting. OpenAI will be prepared to address classifiers generally, and the specific classifiers identified, during the parties' upcoming discussion.

Best regards,

/s/ Elana Nightingale-Dawson

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of LATHAM & WATKINS LLP